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6 Attorneys for BAC Home Loans Servicing, L.P.
fka Countrywide Home Loans Servicing L.P.
7 09-76041
8

9 **UNITED STATES BANKRUPTCY COURT**
10 **DISTRICT OF NEVADA**

11 In Re:

BK-S-09-21070-LBR

12 ADALBERTO GONZALEZ
13 ZENAIDA GONZALEZ

Date: January 7, 2010

Time: 1:30 p.m.

Chapter 13

14 Debtors.
15

16 SUPPLEMENTAL OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

17 COMES NOW, BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing L.P.
18 (hereinafter "Secured Creditor") and files this Supplemental Objection to Confirmation of Chapter 13
19 Plan stating as follows:

20 Secured Creditor is the first deed of trust holder on 5944 Hickory Nut Avenue, Las Vegas, NV
21 89142 (hereinafter "subject property") and is owed over \$243,000.00. The Debtors' proposed plan
22 seeks to reduce the Secured Creditor's lien amount to \$105,000.00.

23 Secured Creditor asserts that this Court should not confirm the proposed plan because the
24 subject property is the Debtors' principal residence. Secured Creditors would like to conduct limited
25 discovery to verify that the Debtors' are being truthful with the court. To this end, Secured Creditor is
26 obtaining the loan application to determine if the Debtors claimed the subject property as a residence at

1 the time of purchase. Secured Creditor would also like to subpoena utility documents to determine if,
2 and when, the Debtors may have lived in the subject property. Finally, Secured Creditor would like an
3 opportunity to see a copy of any leases the Debtors have concerning the subject property and speak
4 with any alleged tenant(s) of the subject property.

5 Finally, Secured Creditor disputes the \$105,000.00 valuation of the property. Before reducing
6 the lien by \$138,000.00, the Secured Creditor asks for some time to obtain its own appraisal and find
7 out the information listed above.

8 WHEREFORE, Secured Creditor asks that this Court deny confirmation.

9 DATED this 4th day of January, 2010

10 WILDE & ASSOCIATES

11 By 
12 _____

13 **GREGORY L. WILDE, ESQ.**


14 Attorneys for Secured Creditor

15 Certificate of Facsimile

16 I certify that on January 4, 2010, I served a copy of the foregoing opposition on Debtors'

17 Counsel by facsimile as follows:

18 Samuel A. Schwartz, Esq.
19 The Schwartz Law Firm, Inc.
20 Fax No. 702-385-2741

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